

REMARKS

INTRODUCTION

Claims 1, 2, 4, 6 and 7 are pending and under consideration. No amendments are presented herein.

CLAIM REJECTIONS

Claims 1, 2, 4, 6 and 7 were rejected under 35 USC 103(a) as being unpatentable over Lo (US 6,493,880) (hereinafter "Lo").

Amended claim 1 recites: "the at least one non-covered stretch yarn is a non-covered spandex yarn which is not covered by any covering yarn."

In the Office Action, the Examiner indicates that Lo does not mention a covering yarn covering the spandex, and therefore the reference teaches the spandex is not covered by any covering yarn.

Applicants respectfully disagree, insofar as it would have been inherent for the blend knitted material of Lo to include a covering yarn. One of ordinary skill in the art, at the time of Lo, would have understood this reference to inherently include a covering yarn. It appears that this inherency is the reason the reference does not specifically mention the covering yarn. These conclusions are detailed in the attached declaration under Rule 132.

In order to establish the professional credentials of the declarants, Korean employment certificates are attached, along with translations of same.

Accordingly, withdrawal of the rejection of claim 1, and claims 2, 4, 6 and 7 depending therefrom, is requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 12-30-10

By: 

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